

Good Afternoon Everyone:

Lyndsey and I apologize for the delayed response. We were traveling the day we received feedback from NYS and had planned Leave this week. I apologize for the lengthy email but I wanted to try and address with input from Lyndsey. I also had a chance to discuss this topic as well as other Niagara County topics with Tim Rice on my drive back last Thursday.

We understand the concern regarding the concrete disposal. Our team is aware of the C&D Landfill requirements but we were not aware of additional state regulatory requirement for free release of non-hazardous materials located on radiation sites. Thank you for bringing this to our attention. If you would be so kindly to point to the specific section(s) within the state regulations that outlines the requirements—specifically, the two standard deviations above background. We want to ensure that we have read that specific section and have a thorough understanding of the requirements.

I would first like to point out the layers of the flooring. Starting from the top we have concrete, plastic, pea gravel, asphalt and then the slag. The asphalt is being considered contaminated and will be disposed of as if it is hazardous. As you can understand, the concrete did not come in contact with the slag. We screened each piece of concrete with a pancake probe (alpha, beta, and gamma) to determine if there was fixed contamination. We used the criteria of two times background of the lowest background area on site. This criteria was used to indicate whether the concrete could be moved from the decon area to our staging container and not necessarily for disposal.

In addition to static/scan measurements, random swipes were taken on roughly 5% of material removed. The swipes were counted for 10 minutes each on Ludlum 3030. All samples collected were at background levels for both alpha and beta.

We also took some representative samples of this concrete and sent off to the lab for analysis to ensure that this material is not TENORM. This is what we considered the main data for disposal.

This was all performed prior to releasing the concrete from the decon area to the staging container where concrete is staged currently. We planned on holding off on disposal until we received our sample results from the laboratory. We will now consider the state's comments once we review the specific section of the state regulation and feel comfortable we satisfied that criteria. We will also put our

compiled data into a report and submit to the state.

In regard to our PPE, RADECO air sampling was performed both inside of the room and the perimeter surrounding the structure. Each air sampler was paired with a particulate air monitor. The limits for our air samples are set at 0.1DAC but for precautionary measures, we are using the LLD/MDA for our instrument, to verify that no contamination is becoming airborne. Based on the contaminant of concern, the specific activities, and the physical form of the contamination, we understand your concern about using level C. However, we initially were cutting through concrete (silica) and potentially cutting into the slag layer itself. As a team, we decided to be conservative at first until we had the data to support a downgrade in respiratory protection. We didn't start cutting into the asphalt/slag layer until the last few days of this last tour. Lastly, while not science based, when performing physical labor like this, there is preference by the workers to use APR mask rather than a dust mask. The dust mask tends to become moist and doesn't seal/conform to one's face.

In regard to public perception, that can go both ways. It may be perceived we aren't taking enough precautions with PPE just as there can be an opinion that we have "jumped" to using PPE. In my training, you start conservative and then downgrade accordingly, not the other way around. In the end, it is my call and if there are any questions, I will address. We attempt to be as discreet as possible with our operations. That is easier said than done when you are conducting a removal amongst two operating businesses. I am well aware of the public and press interest in these Sites and Niagara County overall. However, I cannot make technical/safety decisions based on public opinion. The public and press have approached me continuously for the last year and especially in the last few months. Not once was there concern about our approach or PPE being used. However, when the question arises "How do we know that our removal activities aren't spreading the contamination and exposing the public?" we will have specific information and data to address those concerns.